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INDETERMINATE SENTENCE IN INDIANA

current magazines and the daily papers after they have been censored by the officials. The third grade men have no mail privileges.

Texas—The inmates of the Texas state prison at Huntsville are allowed to write two letters per month and receive all that are sent them. They are also allowed the daily newspapers and the current magazines. The inmates of the state prison at Rusk are allowed practically the same mail privileges, although the warden there states that he allows his men to write special letters upon request.

Utah—The first grade inmates of the Utah state prison are allowed to write four letters per month and the second grade men are allowed to write one letter per month. All are allowed to receive all letters sent to them. Both grades are allowed the daily newspapers and the current magazines and periodicals.

Vermont—The inmates of the Vermont state prison are allowed to write one letter each per week and are allowed to receive all letters sent to them. They are also allowed the daily newspapers and the current magazines and periodicals.

Virginia—The inmates of the Virginia state prison are allowed to write one letter every two months and are allowed to receive all letters sent them by their friends and relatives. They are not allowed to read newspapers of any description, but are allowed to read the current magazines and periodicals.

Washington—The inmates of the Washington state prison are allowed to write one letter every month, and all mail received for them is delivered. They are also allowed the daily newspapers and the current magazines and periodicals.

West Virginia—The inmates of the West Virginia state prison are divided into two grades. The first grade men are allowed to write two letters per month and the second grade men are allowed to write one letter per month. All inmates are allowed to receive all letters sent to them. All are allowed the daily newspapers and the current magazines and periodicals.

Wyoming—The inmates of the Wyoming state prison are allowed to write three letters per month and receive all letters that are written to them. They are not allowed the daily or weekly newspapers, but are allowed the current magazines and periodicals.

Wisconsin—The inmates of the Wisconsin state prison are allowed to receive all letters written them by their friends and relatives. They are allowed to write two regular letters each month and as many extras as the deputy warden deems necessary. They are allowed the current magazines and religious and weekly papers, but no daily papers.

There may be a grain of sense in sharp mail restrictions, but where is it?

R. H. G.

PROBATION AND PAROLE.

The Indeterminate Sentence and Parole Law in Indiana.—For the crimes of treason and of murder in the first degree, the sentence in this state is either death or life imprisonment. For persons convicted of felony for the third time (habitual criminals) and those found guilty of murder in the second degree or of rape upon a child under ten years of age, the punishment is life imprisonment. All other persons convicted of felony are subject to the pro-

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visions of the indeterminate sentence and parole law of 1897 and its amendments. This law applies to men over 16 years of age and women over 17. While it is called "indeterminate," it is in reality limited by the minimum and maximum terms prescribed by statute for specified crimes.

The law is in force in the State Prison at Michigan City, the Reformatory at Jeffersonville and the Woman's Prison at Indianapolis. In the Woman's Prison the parole board includes the superintendent and the physician in addition to the board of trustees; in the State Prison and Reformatory it is made up of the members of the board of trustees only. The parole boards are "prohibited from entertaining any other form of application or petition for the release upon parole or absolute discharge of any prisoner" than the application of the prisoner himself. They may parole prisoners who have served their minimum term and are believed capable of becoming law-abiding citizens. In granting paroles, the boards take into consideration not only the applicant's record as a prisoner, but his ability to maintain himself if free and the sentiment of the community from which he came. The boards are allowed a wide latitude in granting paroles and in withdrawing paroled prisoners from liberty. All their acts are guided by what they believe to be the best welfare both of the prisoner and of society.

Ordinarily paroled prisoners remain under supervision for at least one year. This is an adopted rule and not a requirement of law. They are visited frequently by the parole agents and are required to report regularly. No one is permitted to leave the institution until a place of employment has been found for him.

Sixteen years' experience shows that out of every one hundred prisoners paroled, 57 fulfill their obligations and are discharged from supervision, 26 violate their parole, 2 die, the sentence of 6 expires during the parole and they are automatically discharged; the remaining 9 are under supervision at a given time, reporting regularly.

The percentage of parole violators varies but little in the three institutions: 765 out of 2,916, or 26.2 per cent, at the State Prison; 1,198 out of 4,670, or 25.6 per cent at the Reformatory; 61 out of 213, or 28.6 per cent at the Woman's Prison.

The financial report of the paroled prisoners makes an interesting showing. Their earnings during the time they reported, up to September 30, 1913, amounted to \$2,142,253.31; expenses, \$1,774,672.42; savings, \$367,580.89. In other words, these men and women instead of costing the state an average of \$172.00 a year each (the average per capita cost of maintenance in the two state prisons and the reformatory for the year 1913), have been released under supervision and have earned their own living and at the time they ceased reporting had on hand or due them savings averaging nearly \$50.00 each. This is not regarded as the most important result of the system, but it certainly is a highly valuable feature.

Taking up the institutions separately, the records show that the State Prison has paroled 2,916 men since the law went into effect, of whom 1,688 have been discharged, the sentence of 134 expired during the parole period, 515 violated their parole and were returned to prison, 250 parole violators are at large, 51 died and 278 are reporting. Their financial reports indicate earnings amounting to \$823,136.69; expenses, \$629,800.69; savings, \$193,336.00.

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The Reformatory reports 4,670 men paroled, of whom 2,666 have been discharged, the sentence of 295 expired during the parole period, 609 violated their parole and were returned to prison, 589 parole violators are at large, 78 died and 433 are reporting. Their financial reports indicate earnings amounting to \$1,315,642.76; expenses, \$1,143,075.54; savings, \$172,564.22.

The Woman's Prison reports 213 women paroled, of whom 105 have been discharged, the sentence of 23 expired during the parole period, 35 violated their parole and were returned to prison, 26 parole violators are at large, 7 died and 17 are reporting. Their financial reports indicate earnings amounting to \$3,473.86; expenses, \$1,793.19; savings, \$1,680.67.

AMOS W. BUTLER,

Secretary State Board of Charities, Indianapolis.

Antonelli on the Indeterminate Sentence.—"Le garanzia del Diritti individuali e di famiglia a tempo indeterminato," a subject chosen by Ferri for the "Scuola d'applicazione giuridico-criminali" of Rome, on the indeterminate sentence, is applied to an article by Rodolfo Antonelli, of that school, in the July-August number of *Il Progresso del Diritto Criminale*. As might be expected from the school of the author, and the name of the chooser of the subject, the article is marked by most positivistic tendencies. The *Scuola positiva* and *Sociologia criminali* are the most often cited authorities. The essay takes up the question of the indeterminate sentence from a positivistic standpoint, and finds it in every way to be recommended. He lauds it in its individual, family and social phases, and states that it best fulfills the curative function of punishment from the juridical, moral and economic standpoints. Under the two later phases, the author deals with prison-farms and prison labor, both of which he believes to be necessary reforms. He further believes in an absolutely indeterminate sentence, that is, in the abolition of the minimum and maximum.

Without a translation, it would be impossible to take up his reasons and the details of his plan. His last section, however, in the short span of a review, may well be given in full:

"Substitute for the vagueness of moral responsibility the natural responsibility of the physico-psychic constitution of the delinquent; for the concept of punishment that of cure.

"Enlarge the scope of social responsibility for prevention, cure and possible extirpation of the disease of crime by the system of indeterminate sentence.

"Give the prisoner in place of useless days spent in solitary confinement with its hypothetical cure through introspection, the open air, sun and toil.

"Apply to those whom the ancient Romans called "furiosi," segregational and curative methods.

"Give the family more direct means of communication with the prisoner by means of frequent letters less censored by the prison authorities—letters of the greatest importance for psychology, which are of great weight in avoiding the pests of prison life, prostitution and adultery.

"Give the prison authorities a right to act as a pardon board.

"Make every prisoner work according to his age and physical power.

"Have medical specialists.

"Let the prisoner's work support him and his family, and repair the damage of his crime.